MAR 1 2 1997 Agriculture

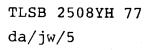
HOUSE FILE 562 ΒΥ ARNOLD

| 1. Sec. 1. Sec |        |        |        |         |      |      |                                       |
|--|--------|--------|--------|---------|------|------|---------------------------------------|
| Passed   | House, | Date   | Passed | Senate, | Date | e    | · · · · · · · · · · · · · · · · · · · |
| Vote:  | Ayes   | Nays   | Vote:  | Ayes    |      | Nays |                                       |
|  | Ar     | proved |        |         |      |      |                                       |

## A BILL FOR

An Act providing distance requirements for animal feeding
operation structures and making penalties applicable.
BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:





YF 562

S.F. \_\_\_\_\_H.F. 562

1 Section 1. Section 455B.171, Code 1997, is amended by 2 adding the following new subsection:

3 <u>NEW SUBSECTION</u>. 2A. "Animal feeding operation structure" 4 means the same as defined in section 455B.161.

5 Sec. 2. Section 455B.204, subsection 1, unnumbered 6 paragraph 1, Code 1997, is amended to read as follows:

7 An animal feeding operation structure shall <u>not</u> be <del>located</del> 8 at-least <u>constructed or expanded less than</u> five hundred feet 9 away from the surface intake of an agricultural drainage well 10 or known sinkhole, and at-least-two <u>not less than five</u> hundred 11 feet away from a lake, river, or stream located within the 12 territorial limits of the state, any marginal river area 13 adjacent to the state, which can support a floating vessel 14 capable of carrying one or more persons during a total of a 15 six-month period in one out of ten years, excluding periods of 16 flooding. However, no distance separation is required between 17 a location or object and a farm pond or privately owned lake, 18 as defined in section 462A.2.

19

## EXPLANATION

This bill amends Code section 455B.204 which in part provides distance requirements between an animal feeding operation structure and a lake, river, or stream located within the territorial limits of the state, or any marginal river area adjacent to the state. This bill increases the distance requirement from 200 to 500 feet and applies the requirement to newly constructed or expanded animal feeding structures. A person violating the bill is subject to a civil penalty of not more than \$5,000.

-1-

29

30

31

32 33

34

35

LSB 2508YH 77 da/jw/5

## TOOOD LIDE 202

H-1224 1 Amend House File 563 as follows: 1. Page 5, line 9, by striking the words 2 3 "qualified corporation and". 2. Page 5, line 10, by inserting after the word 4 5 "association" the following: "and qualified 6 corporation". 7 3. Page 6, line 23, by striking the word 8 "cooperating" and inserting the following: 9 "cooperative". 4. Page 6, by striking line 26 and inserting the 10 11 following: "certificate of merger pursuant to section 12 499.68". 13 5. Page 6, line 28, by striking the word 14 "cooperation" and inserting the following: 15 "corporation". 6. Page 6, line 30, by inserting after the word 16 17 "state" the following: "pursuant to section 18 490.1105". 19 7. Title page, line 1, by inserting after the 20 word "associations" the following: "and 21 corporations". Title page, line 2, by striking the words "of 22 8. 23 the associations" and inserting the following: ", 24 including providing for mergers,". By HUSEMAN of Cherokee H-1224 FILED MARCH 18, 1997 Adopted 3-25-97 (p. 775)



